H-3968.1

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**SUBSTITUTE HOUSE BILL 2661**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** House Capital Budget (originally sponsored by Representatives Kilduff, Kuderer, Reykdal, Peterson, Riccelli, Zeiger, Walsh, Bergquist, Senn, Goodman, Santos, Pollet, and McBride)

AN ACT Relating to the developmental disabilities community trust account; and amending RCW 71A.20.170.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 71A.20.170 and 2011 1st sp.s. c 30 s 12 are each amended to read as follows:

(1) The developmental disabilities community trust account is created in the state treasury. All net proceeds from the use of ((~~excess property identified in the 2002 joint legislative audit and review committee capital study or other studies of the division of developmental disabilities~~)) operating or previously operating residential habilitation centers that would not impact current residential habilitation center operations must be deposited into the account.

(2)(a) Proceeds to be deposited into the account created under subsection (1) of this section may come from the lease of the land, conservation easements, sale of timber, or other activities short of sale of the property((~~, except as permitted under section 7 of this act.~~

~~(3) "Excess property" includes that portion of the property at Rainier school previously under the cognizance and control of Washington State University for use as a dairy/forage research facility~~)).

(b) In addition to the proceeds from any activities under (a) of this subsection, proceeds may also come from the sale of property formerly used as a residential rehabilitation center. Fifty percent of any proceeds under this subsection (2)(b) must be deposited into the account.

((~~(4)~~)) (3) Only investment income from the principal of the proceeds deposited into the trust account may be spent from the account. For purposes of this section, "investment income" includes lease payments, rent payments, or other periodic payments deposited into the trust account. For purposes of this section, "principal" is the actual excess land from which proceeds are assigned to the trust account.

((~~(5)~~)) (4) Moneys in the account may be spent only after appropriation. Expenditures from the account ((~~shall~~)) must be used exclusively to provide family support and/or employment/day services to eligible persons with developmental disabilities who can be served by community-based developmental disability services. It is the intent of the legislature that the account should not be used to replace, supplant, or reduce existing appropriations.

((~~(6)~~)) (5) The account ((~~shall be~~)) is known as the Dan Thompson memorial developmental disabilities community trust account.

**--- END ---**